

# Committee on Resources

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**Testimony**

**Before the Committee on Resources**

**United States House of Representatives**

**The Importance of Border Security on Federal Lands**

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My name is Jim McGarvie. I am Vice President of the Off-Road Business Association (ORBA), a nonprofit trade association of businesses in the off-highway vehicle (OHV) recreation industry. This is a huge and rapidly growing industry, estimated to contribute approximately nine billion dollars annually to the economy of the state of California alone. The future of this industry is directly related to the amount of OHV recreation opportunity available. As land open to OHV recreation shrinks, for whatever reason, industry profits shrink as well. The primary mission of ORBA is to prevent further loss of access to public lands. I am testifying today not only representing the Off-Road Business Association but representing OHV recreation in general.

At first glance, border security would seem to have little to do with OHV recreation. Certainly there are impacts from illegal immigration with far greater import than those impacting OHV recreation. But impacts to OHV recreation are not insignificant, and are important.

I will break those impacts down into two broad categories: The impact of border security on OHV recreation and the impact on OHV recreation when border security fails.

**The impact upon OHV recreation of border security:**

No one believes more strongly than I in the necessity of a strong border. But there is always a price for security. Included in the negative impacts of a strong border are a few which effect OHV recreation. Probably the greatest of those are the closures of public lands to OHV recreation in the name of border security. There are dirt roads and trails in the Cleveland National Forest and on BLM land east of San Diego which used to be open to OHV recreation, but have been closed to us in the name of Homeland Security.

There is a portion of the desert managed by the Bureau of Land Management (BLM) between Interstate 8 and the Mexican border known as the Yuha desert. In the Yuha, all privately-owned motorized vehicles are required to remain on designated roads—and OHV's are restricted to only three of those—presumably to protect species that exist there. If we violate those restrictions we are subject to fines, vehicle confiscation and possible jail time. However, the Border Patrol frequently traverses the area in pursuit of illegal immigrants. We understand and sympathize with the mission of the Border Patrol, but in effect illegal immigrants are causing the area to be heavily utilized by vehicles in chase, while we cannot access the area with vehicles for recreation.

**The impact on OHV recreation when border security fails:**

The border fencing in the San Diego area has proven quite successful in preventing illegal border crossings in that area, but has pushed the problem further east into public lands managed by the BLM and the Forest Service.

A prime example is in the Imperial Sand Dunes Recreation Area (ISDRA) in Imperial County near the Arizona and Mexico borders. This is one of the most popular OHV areas in the country, seeing as many as 200,000 off-roaders on a busy holiday weekend. The Mexican border is ill-defined where it crosses the dunes, and it is relatively easy to violate the border without realizing it.

Because of the proximity to the border, the ISDRA—particularly that portion known as Buttercup Valley between Interstate 8 and the border—has been the scene of armed robberies and shootings attributed to thieves entering the country illegally and then fleeing back across the border. There has also been drug smuggling reported in that area. Many off-roaders now stay away from the Buttercup area due to the risks involved. One BLM employee told me under the condition of anonymity that he would not take his family camping there.

Another example of lost OHV opportunity due to a less than secure border is the “Horse Fire,” a wildfire which occurred in the mountains east of San Diego just last month. This fire consumed over 16,000 acres, most of which are in the Cleveland National Forest, including portions of two wilderness areas. In addition to the terrific impact upon our natural resources as a consequence of fire suppression efforts and the fire itself, the OHV area closest to San Diego—and the largest of only two legal OHV areas this side of the desert—was largely consumed and will be closed for the foreseeable future. What was the cause of this fire? According to a Cleveland National Forest press release, “Based on the fire investigation, the cause of the fire was an abandoned campfire in a side drainage of Horsethief Canyon. Evidence collected at the scene suggests that the campfire was left by undocumented immigrants.” More OHV opportunity lost; more loss of profits for the OHV industry.

**Solutions:**

I don't have the answers to this problem. If I did I would probably be working in Washington, DC. From a layman's standpoint the fence seems to work well where it exists. Perhaps it would work even better if it continued further east. It seems to me that where there is a fence along the border, the work of the Border Patrol is made significantly easier. It is likely that, were the border fenced through the back country and desert east of San Diego, most if not all of the closures of areas of OHV opportunity could be reopened. Many of the risks to off-roading families would be eliminated. The number of illegal immigrants dying in their attempt to find work in the United States would be drastically reduced, as would the number of illegal campfires.

Thank you.